

REMARKS

Applicants respectfully request reconsideration and allowance of the present application in view of the following remarks. Claims 1, 2, 4-6, 9, 11-13, 16, 17, 19-21, 24, 26-28 and 31-42 are pending in the application. Applicants respectfully reiterate arguments presented in prior responses to preceding Office Actions in this case and incorporate the prior responses herein by reference.

Rejection of Claims Under 35 U.S.C. § 112

In the Office Action, claims 1, 2, 4-6, 9, 11-13, 16, 17, 19-21, 24, 26-28 and 31-42 stand rejected under 35 U.S.C. 112 (first paragraph) as allegedly failing to comply with the enablement requirement. For reasons set forth more fully below, Applicants respectfully traverse this rejection.

The Originally-Filed Specification Is Enabling For Associating A List With A Plurality Of Subscribers

Claims 1-2, 4-6, 9, 11-13, 16-17, 19-21, 24, 26-28 and 31-42 stand rejected for allegedly lacking enablement of how to associate a list with a plurality of users. The Office Action states that "the specification lacks any description of how to associate a list to a plurality of users; it only describes a list for the whole system." However, one skilled in the art would readily understand that a "whole system" includes a plurality of users. Moreover, the Office Action further acknowledges that the specification clearly describes lists such as "always allow," "always deny," and "always require PIN". It should be self-apparent that such lists would be useless if they were not associated with users.

In any event, Applicants respectfully submit that one skilled in the art would understand that the described systems unquestionably include a plurality of subscribers and that the description of a list for the whole system includes a description of a list associated with a plurality of users. In one example in the specification (see below), a system based on GSM is described. GSM is known in the art and universally understood to include a plurality of subscribers. Therefore, Applicants submit that the description of a list associated with a whole system necessarily describes and enables a list associated with a plurality of subscribers as recited in the claims.

Further, the multi-subscriber nature of the claimed system is taught in various portions of the specification. For example:

- Figure 3 is a flowchart depicting one example of list processing, the lists including system-wide lists. In descriptions associated with Figure 3, it is clear that the system in the example has a plurality of subscribers because, for instance, subscribers have individual subscriber profiles (see page 9, lines 7-22).
- Page 4, line 27 to page 5, line 8 describes an example of a system in which subscribers and terminals may be identified to the system. In this example, a GSM-based system is contemplated and it will be apparent to one skilled in the arts that the identification of subscribers is necessary in a system having a plurality of subscribers.
- Page 7, lines 25 to page 8, line 10 provides a descriptive example of the association of subscribers to subscriber lists including system-wide lists.

It is apparent from the sections referenced above that the examples of systems include a plurality of subscribers and the association between system wide lists and the plurality of subscribers has been sufficiently described in the specification for a skilled artisan to understand the methods and apparatus claimed. For at least the foregoing reasons, those skilled in the art would be able to practice the invention of claims 1-2, 4-6, 9, 11-13, 16-17, 19-21, 24, 26-28 and 31-42 based on the descriptions in the originally-filed specification, and the § 112 rejection of this claim should be withdrawn.

Rejection of Claims Under 35 U.S.C. § 102(b)

In the Office Action, claims 1-2, 6, 9, 13, 16-17, 21, 24 and 28 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,737,701 to Rosenthal et al. (Rosenthal). For the reasons set forth below, Applicants respectfully traverse these rejections.

Independent Claims 1 and 16 Patentably Define Over Rosenthal

The office action alleges that Rosenthal anticipates the provision of (claim 1), and means for providing (claim 16), access to a resource if the resource is included in a list associated with the subscriber (subscriber list) or in an always allow list associated with a plurality of subscribers (system-wide list) as recited in independent claims 1 and 16 of the present application. The

Office Action further alleges in the "Response to Arguments" section that the claims include limitations presented in the alternative and that these limitations are therefore not required. Applicants respectfully disagree because the use of the word "or" in the claims recites a required state based on the contents of two lists.

As recited in claims 1 and 16, it is apparent that access to the resource is denied only when the resource is absent from both the subscriber list and the system-wide list. Additionally, it is readily apparent that claims 1 and 16 recite that the subscriber is required to input a PIN only when the resource is from both the subscriber list and the system-wide list. It is clear from reading the claims that the limitation requires the testing of two conditions to determine an outcome. Testing of one of the two conditions yields an illogical and potentially undesired outcome. For example, if the subscriber list is excluded from consideration, then access is denied even if the resource is present in the subscriber list.

The Office Action also relies on Rosenthal's marking of a "P" in a table as anticipating an always allow list. Applicants disagree because the purpose of Rosenthal's "P" is merely indicative of longevity of an entry in the Rosenthal table and is unrelated to an always allow list associated with a plurality of users. Rosenthal specifically states that:

Different criteria may be used to select a particular entry for removal in step 603. Eligible for removal are all the entries with a "T" (for temporary) character stored in their characteristic field. By contrast, the entries in the tables of FIGS. 3 and 5 that have a "P" (for permanent) stored in the characteristic field, may never be selected for removal simply by a call being placed and by the entering of the authentication code.

(Col. 9, lines 39-46). Clearly then, the marking of a "P" or "T" is unrelated to whether a resource is included in an always allow list as recited and required in the present application because only entries in the table can have either a "P" or a "T". Therefore, Applicants respectfully submit that the Office Action ascribes an unintended and unwarranted interpretation to the Rosenthal table.

Additionally, the entries in the Rosenthal list are associated with a single subscriber as shown, for example in: "a new record may be created for the subscriber by entering the calling card number and the called party number provided by the caller in the appropriate fields" (col. 9, lines 1-5).

The Office Action, in the Response to Arguments section, further suggests that Gaukel (U.S. Patent No. 5,200,995 as listed below under § 103 rejections) discloses an always allow list. However, Gaukel does not disclose, anticipate or teach an always allow list associated with a plurality of subscribers as recited in independent claims 1 and 16. Gaukel is directed to a system that is installed “on any given standard telephone voice line” (col. 3, lines 49-54) and consequently can only be a single subscriber device. Gaukel is not directed to systems including a plurality of subscribers and does not anticipate or suggest a list associated with the subscriber and an always allow list associated with a plurality of subscribers. Therefore, Gaukel does not anticipate each and every element of claims 1 and 16 as required by § 102 and is ineffective in supplying, suggesting or otherwise rendering obvious the required elements lacking in the Rosenthal reference under § 103.

Therefore, Rosenthal cannot be reasonably said to teach or disclose an always allow list associated with a plurality of subscribers as required by the present invention. For these reasons, Applicants respectfully submit that the rejections of claims 1 and 16 are inappropriate and should be withdrawn.

Independent Claims 9 and 24 Patentably Define Over Rosenthal

The arguments presented to the rejections of independent claims 1 and 16 apply also to the rejections of independent claims 9 and 24. Additionally, claims 9 and 24 do not have limitations in the alternative and the Office Action’s “Response to Arguments” section did not propose these grounds of rejection. Specifically, claims 9 and 24 recite maintaining (claim 9), and a means for maintaining (claim 24), a first list of resources accessed by a user and a second list of resources always allowed access by a plurality of users. Claims 9 and 24 also recite allowing (claim 9), and a means for allowing (claim 24) the user to access resources included in the first list and the second list. Rosenthal does not teach a first and a second list. Nor does Rosenthal teach a list of resources always allowed access by a plurality of users.

Therefore, for these additional reasons, together with the reasons presented for claims 1 and 16 above, Rosenthal cannot be reasonably said to teach or disclose a first list of resources accessed by a user and an always allow list associated with a plurality of subscribers as required

by the present invention. For these reasons, Applicants respectfully submit that the rejections of claims 9 and 24 should be withdrawn.

Each of claims 2, 6, 13, 17, 21 and 28 ultimately depend from one of claims 1, 9, 16 and 24 and is patentable for at least the foregoing reasons and Applicants therefore request withdrawal of the rejections of claims 2, 6, 13, 17, 21 and 28.

Rejection of Claims Under 35 U.S.C. § 103

Claims 4, 11, 19 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenthal et al. as applied to claims 1, 9, 16 and 24, and further in view of U.S. Patent No. 5,200,995, Gaukel et al. ("Gaukel"); claims 5, 12, 20, 27, 33, 36, 39 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenthal et al. as applied to claims 1, 9, 16 and 24, and further in view of U.S. Patent No. 6,330,311, Mijares, Jr. et al. ("Mijares"); claims 31, 34, 37 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenthal et al. as applied to claims 1, 9, 16 and 24, and further in view of U.S. Patent No. 5,467,388, Redd, Jr. et al. ("Redd"); and claims 32, 35, 38 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenthal et al. as applied to claims 1, 9, 16 and 24, and further in view of U.S. Patent No. 5,420,910, Rudokas et al. ("Rudokas").

For reasons set forth more fully below, this rejection is respectfully traversed.

Claims 4-5 and 31-33 ultimately depend from independent claim 1. Claims 11-12 and 34-36 ultimately depend from independent claim 9. Claims 19-20 and 37-39 ultimately depend from independent claim 16. Claims 26-27 and 40-42 ultimately depend from independent claim 24. Because claims 1, 9, 16 and 24 have been shown above to patentably define over Rosenthal, and because Gaukel, Mijares Redd and Rudakas do not teach or disclose the subject matter missing in Rosenthal as discussed above, the alleged combinations of Gaukel, Mijares, Redd or Rudakas with Rosenthal would not cure Rosenthal's deficiencies and the claims still patentably define over the alleged combination for at least these reasons.

Dependent Claims 4, 11, 19 and 26 Are Not Rendered Obvious By The Combination of Rosenthal and Gaukel

The Office Action alleges that Gaukel teaches an always deny list associated with a plurality of subscribers as recited in claims 4, 11, 19 and 26. Applicants disagree and submit that Gaukel is directed to a system that is installed "on any given standard telephone voice line" (col. 3, lines 49-54). Consequently, Gaukel describes a single subscriber device and the reference cannot be said to be directed to systems including a plurality of subscribers. Therefore, Gaukel does not teach, suggest or render obvious "an always deny list associated with a plurality of subscribers" as required by claims 4, 11, 19 and 26.

Nor is there any motivation discernible in Gaukel to provide an "an always deny list associated with a plurality of subscribers" based on an ability to restrict partial numbers, as alleged in the Office Action. Gaukel is directed to a universal call restriction circuit for use in conjunction with a standard telephone line as a means of inhibiting unauthorized or restricted calls (col. 3, lines 49-54). Gaukel describes its system as universal because it allows the restricted list to contain more than simply entire conventional telephone numbers (col. 4, lines 8-11). Restricting partial numbers in a given standard telephone voice line provides no reasonable incentive to use a list associated with a plurality of subscribers for controlling access to resources.

Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 4, 11, 19 and 26.

Dependent Claims 5, 12, 20, 27, 33, 36, 39 and 42 Are Not Rendered Obvious By The Combination of Rosenthal and Mijares

The Office Action alleges that Mijares teaches a PIN list for numbers associated with 900 numbers or international calls. The claims of the present application recite the requiring of a subscriber to input a personal identification number if the resource is included in an always require PIN list associated with a plurality of subscribers. Simply stated, the claims require a list identifying resources that always require entry of a PIN before access is granted. Mijares does not disclose, anticipate or otherwise suggest such a list. Mijares stores PIN numbers for use in call establishment (col. 2, lines 30-34). Mijares is directed to a system for selecting an optimal

call establishment path based on day of the week and time (col. 9, lines 1-2). Thus Mijares does not teach a requirement for "the subscriber to input a personal identification number if the resource is included in an always require PIN list associated with a plurality of subscribers" as recited in the claims of the present application.

Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 5, 12, 20, 27, 33, 36, 39 and 42.

Dependent Claims 31, 34, 37 and 40 Are Not Rendered Obvious By The Combination of Rosenthal and Redd

The Office Action alleges that Redd teaches an always allow list with emergency services numbers and suggests a time-saving motivation for combining Redd with Rosenthal. However, Redd is directed to a system for blocking incoming calls (col. 5, lines 50-56) and there are no reasonable grounds for suggesting that the goal of saving time would motivate a combination of Redd and Rosenthal.

Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 31, 34, 37 and 40.

Dependent Claims 32, 35, 38 and 41 Are Not Rendered Obvious By The Combination of Rosenthal, Gaukel and Rudokas

The Office Action alleges that Rudokas teaches a list of fraudulent numbers sufficient to render obvious the recited deny list comprising a phone number associated with fraudulent use. Rudokas, as cited, describes the detection of cloned cellular telephones by maintaining a list of suspect incoming numbers. It will be appreciated that, while the reception of calls from cloned cellular numbers is one form of fraudulent use of broadly-defined telephone services, the reception of such calls does not anticipate or render obvious the limitations of the presently claimed inventions. Claims 32, 35, 38 and 41 include recitations of receiving a request from a subscriber to access a resource and denying access to the resource when the resource is included in an always deny list comprising a phone number associated with fraudulent use. Rudokas' fraudulent use hinges on having a fraudulent cell phone presumably used by a non-subscriber posing as a subscriber. In the presently claimed invention, a subscriber attempts to access a

resource that is associated with fraudulent use. In view of these differences, Rudokas's list for identifying a fraudulent cell phone cannot reasonably be said to render obvious the inventions of claims 31, 34, 37 and 40.

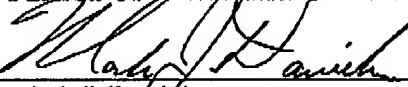
Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 31, 34, 37 and 40.

Conclusion

All objections and rejections having been addressed, it is believed that the present application is in condition for allowance, and Notice thereof is earnestly solicited. If any issues remain which the Examiner feels may be resolved through a telephone interview, s/he is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,
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